



Attorney Docket No. 58056 (70207)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Gygi, et al.

EXAMINER: Not yet assigned

APPLICATION SERIAL NO.: 10/760,121

ART UNIT: 1743

FILED: January 16, 2004

CONFIRMATION: 7370

FOR: NON-AFFINITY BASED ISOTOPE TAGGED PEPTIDES AND METHODS FOR  
USING THE SAME

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as Express Mail Label No. EV 438995550 US addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 20, 2004.

By:   
**Helen Murray Tarbi**

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

The following is in response to the Notice to File Missing Parts- Filing Date Granted (PTO-1533) mailed April 23, 2004 in the above referenced application.

Enclosed herewith is a check for the required fee of \$980.00 and a check in the amount of \$55.00 for a one-month extension of time.

If for any reason a further fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. 04-1105.

Applicants also petition for an additional extension of time to provide for the possibility that such a petition has been inadvertently overlooked and is required.

As provided below, charge Deposit Account No. **04-1105** for any required fee.

**DOCUMENT(S) SUBMISSION**

Enclosed herewith for filing in the subject application are the following:

1. Copy of the Notice to File Missing Parts-Filing Date Granted for the subject application;
2. Petition for Extension of Time;
3. Properly signed oath or declaration in compliance with 37 CFR 1.63 with power of attorney, identifying the application by the above application number and date;
4. Copy of Notice Regarding Benefit/Priority Claims;
5. Preliminary Amendment; and
6. Copy of Official Filing Receipt with corrections marked in red.

**FEES**

Completion of application filing fees as calculated below:

1.	Basic Filing Fee	\$ 385.00
2.	Total additional claim fees:	
	- 38 Total Claims in excess of 20	\$ 342.00
	- 1 Total Independent Claims in excess of 3	\$ 43.00
3.	Surcharge for late payment of filing fee and/or late filing of original declaration or oath	\$ 65.00
	TOTAL	\$ 980.00

Applicants also hereby authorize the Commissioner to charge any deficiencies in the following fees at any time during prosecution of the application; filing fees (37 C.F.R. §1.16(a), (f) or (g)); fees associated with the presentation of extra claims (37 C.F.R. §1.16(b), (c) and (d)); surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application (37 C.F.R. §1.16(e)); extension fees pursuant to § 1.136(a) (37 C.F.R. §1.17(a)(1)-(5)); and application processing fees (37 C.F.R. §1.17).

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Gygi, et al.  
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**REQUEST TO CORRECT FILING RECEIPT**

Applicants also respectfully request that the official filing receipt be corrected to reflect the inventor's name to be **SCOTT ANTHONY GERBER** not Scott A. Gerber and **CARLOS AUGUSTO GARTNER** not Augusto Gartner as provided on the enclosed copy of the Filing Receipt with the changes marked in red.

Respectfully submitted,  
EDWARDS & ANGELL, LLP

Date: July 20, 2004

By: 

George W. Neuner  
(Reg. No. 26,964)  
P.O. Box 55874  
Boston, MA 02205  
(617) 439- 4444

Customer No. 21874



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/760,121	01/16/2004	Steven P. Gygi	58056 US (70207)

EDWARDS & ANGELL, LLP  
 P.O. Box 9169  
 Boston, MA 02209



CONFIRMATION NO. 7370



\*OC000000012430199\*

Date Mailed: 04/23/2004

### Notice Regarding Benefit/Priority Claim(s)

#### Prior-Filed Nonprovisional Application has been Improperly Indicated as the National Stage (35 U.S.C. 371) of an International Application

If applicant wishes to claim the benefit of the prior-filed international application under 35 U.S.C. 365 (c), applicant must submit a specific reference that includes: (1) the international application number and international filing date; and (2) a clear indication the relationship (i.e., continuation, divisional, or continuation-in-part) of the applications, such as "This application is a continuation of Application No. 10/---,---, filed ---, which is a continuation of PCT/US--/--, filed---." The specific reference must be included in the domestic priority information section of an application data sheet (37 CFR 1.76), or the specification must contain, or be amended to contain, such reference in the first sentence following the title.

**Timeliness:** The required reference for each benefit claim must be filed during the pendency of the instant application and within the later of: (1) four months from the actual filing date of the instant application, or the national stage commencement date if the instant application is a national stage application under 35 U.S.C. 371; or (2) sixteen months from the filing date of the prior-filed application. Failure to timely file the required reference is considered a waiver of any benefit claim, unless a grantable petition to accept an unintentionally delayed claim under 37 CFR 1.78(a), the surcharge set forth in 37 CFR 1.17(t), and the required reference are filed. See 37 CFR 1.78(a). If the filing receipt includes the benefit claim to the prior application, the petition and surcharge would not be required.

If applicant wishes to claim the benefit of the prior-filed international application under 35 U.S.C. 365 (a), applicant must: (1) submit a proper priority claim in the oath or declaration, or in the foreign priority information section of an application data sheet (37 CFR 1.76), in compliance with 37 CFR 1.63 and 37 CFR 1.55 within the time period set forth in 37 CFR 1.55(a); and (2) comply with the other requirements of 37 CFR 1.55.

For more information and examples on benefit claims, please see Claiming the Benefit of a Prior-Filed Application under 35 U.S.C. 119(e), 120, 121, and 365(c), 1268 Off. Gaz. Pat. Office 89 (March 18, 2003), which is available on the USPTO website at <http://www.uspto.gov/web/offices/com/sol/og/2003/week11/patbene.htm>, and the Manual of Patent Examining Procedure (MPEP) §§ 201.11 and 201.14.

PART 1 - ATTORNEY/APPLICANT COPY

JFWA

07-22-09



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10/760,121	01/16/2004	Steven P. Gygi	58056 US (70207)

EDWARDS & ANGELL, LLP  
 P.O. Box 9169  
 Boston, MA 02209



CONFIRMATION NO. 7370

## FORMALITIES LETTER



\*OC000000012436057\*

Date Mailed: 04/23/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/23/2004 BABRAHA1 00000047 10760121

FILED UNDER 37 CFR 1.53(b)

01 FC:2001	385.00 OP
02 FC:2051	65.00 OP
03 FC:2202	342.00 OP
04 FC:2201	43.00 OP
05 FC:2203	145.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$530** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$980** for a Small Entity

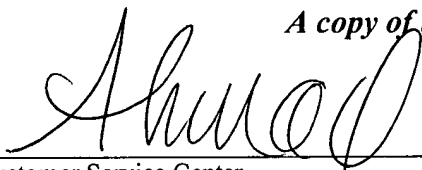
- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$530**

- \$43 for 1 independent claims over 3.
- \$342 for 38 total claims over 20.
- \$145 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE